

## REMARKS

In the Office Action mailed March 24, 2006, Claims 15-18 were rejected under 35 U.S.C. § 102(b) as being anticipated by a new patent reference to Hamy. Claims 19, and 26-28, were objected to as being dependent upon a rejected base claim, but the Examiner states they would be allowable over the prior art made of record, including Hamy, if rewritten in independent form including all of the limitations of the base claims and any intervening claims. Claims 20-25, and 29 were allowed over the prior art of record. For the reasons that follow, Applicant traverses the rejection of Claims 15-18, as amended, over the Hamy reference.

Enclosed herewith is an amended set of claims. Claim 15 has been amended to make it more clear that the flaps co-operate with portions of the base so as to encircle the bottom portions of the legs of the seated passenger in said closed position.

Further, a new claim 30 has been added.

It should be first noted that although the Examiner mentions under paragraph 2 of the Detailed Action section of the Office Action mailed March 24, 2006 that Hamy shows a passenger seat which inherently may be used in an amusement park installation, it is quite clear that the specification of Hamy refers to a passive restraint seat system for automotive vehicles to be used on roads in an attempt to minimize injuries and/or deaths in vehicle collisions (see col. 1, lines 28 to 34). In this regard, see also col. 2, lines 4 to 5, col. 4, lines 5 to 8, col. 6, lines 37 to 40, col. 7, lines 3 to 8, col. 11, lines 15 to 17, and the whole document in general. The problem to be solved by Hamy is accordingly to retain and maintain the trunk part of a body passenger in the seat in case of an accident, while in the present invention, which is concerned with vehicles travelling in an amusement park installation, and namely suspended roller coasters, it is necessary not only for the passenger to be held with regard to his body but also to lock his legs as

mentioned in paragraph 4, last sentence, of the specification of the present invention. In automotive vehicles travelling on roads of course the legs of the passengers, and in particular of the driver, must remain totally free to move.

Further, in the same paragraph 2 of the Detailed Action section, the Examiner mentions that the flaps of Hamy co-operate with portions of the seat base so as to encircle (the top portions of a user's) legs of the seated passenger. As a matter of fact, the lower guard arm assemblies of Hamy are intended "to engage a hip portion of the passenger" (see col. 2, lines 57-58), or in other words, the two frontal/side pelvic regions (see col. 4, line 39). See also col. 8, lines 38-39 and lines 46-48. Applicant can not find any reference to the legs of the seated passenger. In any case, Hamy does not indicate nor suggest how to solve the problem addressed by the present invention, which is to lock the bottom portions of the passenger's legs.

For all these foregoing reasons, Applicant respectfully requests entry of the foregoing amendment of the claims, and allowance of Claims 15-30, as amended, over all the prior art of record.

Respectfully submitted,

By: Clifford W. Browning  
Clifford W. Browning  
Registration No. 32,201  
Krieg DeVault LLP  
One Indiana Square, Suite 2800  
Indianapolis, IN 46204-2079  
(317) 636-6203

KD\_IM-727794\_1.DOC